



CITY OF NEWPORT BEACH ENVIRONMENTAL QUALITY AFFAIRS COMMITTEE AGENDA

REVISED

**DATE/TIME: Monday, September 19, 2011
7:00 p.m.**

**LOCATION: Police Department Auditorium
870 Santa Barbara Drive**

This committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Committee's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Committee. The Committee may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or lbrown@newportbeachca.gov).

Roll Call

1. Introductions
2. Minutes of September 20, 2010 (attachment 1)
3. Overview of the proposed Newport Banning Ranch Project
4. Selection of a subcommittee to review and comment on the Newport Banning Ranch Draft Environmental Impact Report
5. Public Comments
6. Future Agenda Items
7. Adjournment

NEXT MEETING DATE: October 17, 2011

*Attachments can be found on the City's website <http://www.newportbeachca.gov>. Once there, click on **Agendas and Minutes** then scroll to and click on **Environmental Quality Affairs**. If attachment is not on the web page, it is

Any writings or documents provided to a majority of the Environmental Quality Affairs Committee regarding any item on this agenda will be made available for public inspection in the Planning Division located at 3300 Newport Blvd., Newport Beach, CA 92663 during normal business hours.



CITY OF NEWPORT BEACH ENVIRONMENTAL QUALITY AFFAIRS COMMITTEE

DRAFT MINUTES September 20, 2010

The Environmental Quality Affairs Committee held at the City of Newport Beach Police Department Auditorium, 870 Santa Barbara Drive, on **Monday, September 20, 2010**.

Members Present:

X	Nancy Gardner, Council Member	E	Laura Meier
X	Michael Henn, Council Member	E	Jay Myers
X	Arlene Greer, Chair	X	Kevin Nolen
X	Michael Alti	X	Joan Penfil
X	Bruce Asper	X	Ed Reno
X	Laura Curran	X	Nick Roussos
X	Kathy Harrison	X	Debra Stevens
E	Sandra Haskell	X	Timothy Stoaks
X	Kimberly Jameson	X	Barbara Thibault
E	Kevin Kelly	X	Merritt Van Sant
X	Vincent Lepore		
X	Charles McKenna		

Staff Representatives:

Guests:

X	James Campbell, Principal Planner	
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Chairperson Greer called the meeting to order at 7:07PM

1. Minutes of August 16, 2010

Motion to approve the draft minutes as presented by staff passed unanimously.

2. Smoking Regulations

A general discussion took place regarding the proposed ban drafted by staff based upon direction received from the Committee at the August meeting. A question was raised as to whether the proposed smoking ban would apply to public gathering spaces such as the public plaza, parking areas, sidewalks or alleys near the Newport Pier. The answer is no. Enforcement methods were discussed and it was suggested that graphics be used with signs to increase their effectiveness. The Committee discussed the possibility of expanding the ban to apply to outdoor dining areas at restaurants. The Committee discussed the possibility of establishing benchmarks and

goals to measure the effectiveness of a ban. Benchmarks and goals would be difficult to establish and would be subjective.

A ***motion*** was made by Committee Member McKenna, seconded by Committee Member Thibault to recommend the following: The City Council should consider a ban on smoking that would encompass all municipal parks.

Motion carried with 10 ayes and 4 noes.

A ***motion*** was made by Committee Member Curran, seconded by Committee Member Thibault to recommend the following: The City Council should consider a ban on smoking in any area designated as open space or nature preserves where public access is provided whether by trails, sidewalks, bike paths, driveways or roadways. Smoking would be banned on the access way and parking areas in addition to open space areas. Examples include upper Buck Gully, the mouth of Big Canyon and the Upper Newport Bay Nature Preserve and Ecological Reserve.

Motion carried with 10 ayes and 4 noes.

A ***motion*** was made by Committee Member Reno, seconded by Committee Member Penfil to recommend the following: The City Council should consider identifying pre-ban benchmarks and establish future goals to measure the success of the proposed ban on smoking.

Motion failed 3 ayes and 11 noes.

3. Economic Development Committee Representative's Report

Chairperson Greer provided reported on the Economic Development Committee (EDC) meeting held on September 15, 2010. The EDC identified a potential new member to fill a vacancy and forwarded that name to the Council for consideration. An ECD subcommittee was formed to look at business licenses and the success of the CDM Classic Car Show and the Newport Beach Film Festival were discussed.

4. Coastal/Bay Water Quality Committee Representatives' Report

Council Member Gardner reported on the Coastal/Bay Water Quality Committee's future review the Banning Ranch EIR. The Committee will be forwarding their comments to the Environmental Quality Affairs Committee for their consideration, incorporation and/or use.

5. Report from Staff on Current Projects

Staff reported that the EIR for the Banning Ranch project is still being prepared and has not been completed. The need for EQAC review is not expected until November and staff will provide an update at future meetings. Staff reported on the reorganization of the Code and Water Quality Enforcement Division that is no longer part of the City Manager's Office. The three Code Enforcement officers are now a division of the

Planning Department and the Water Quality and Water Conservation staff is now a part of the Public Works Department. Staff reported on the pending Zoning Code Update process. The Zoning Code Update is a complete re-write of the code and implements the 2006 General Plan Update. There has been extensive public participation guided by the General Plan/Local Coastal Program Implementation Committee and 5 public meetings with the Planning Commission. The City Council considered residential regulations at a study session on September 14, 2010. The first of several public hearings before the City Council is scheduled on October 12, 2010. If you have further questions, please contact the Planning Department at 949-644-3201.

6. Public Comments

Philip Bettencourt invited committee members to tour the Banning Ranch site in anticipation of the EIR review scheduled to occur in the coming months.

A member of the public indicated that a proposed statewide ban on plastic shopping bags failed in the State Legislature and that several area cities were considering adopting their own bans.

7. Future Agenda Items

The Committee discussed and there was a general consensus to place a discussion item on a future agenda (possibly November) of a possible city ban on plastic shopping bags.

A ***motion*** was made by Committee Member Penfil, seconded by Committee Member Thibault to place on a future agenda, a discussion item to consider a ban on smoking in outdoor dining areas of restaurants.

Motion failed 3 ayes and 11 noes.

8. Adjournment

Chairperson Greer adjourned the meeting at 8:38PM to the next regularly scheduled meeting of October 18, 2010.